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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,830	07/10/2003	Maurizio Valle	CAM3-PT045	2681
3624	7590	05/01/2006	EXAMINER	
VOLPE AND KOENIG, P.C. UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			SCHARICH, MARC A	
			ART UNIT	PAPER NUMBER
			3611	

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/616,830	Applicant(s) VALLE, MAURIZIO	
	Examiner Marc A. Scharich	Art Unit 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 2/17/2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 33-35 is/are pending in the application.
- 4a) Of the above claim(s) 2 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 33-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see attorney's REMARKS, filed 2/17/2006, with respect to the rejection(s) of claim(s) 1-10 and 33-35 under 35 USC § 102(b) have been fully considered and are found to be persuasive, therefore removing the grounds for rejection. The portion of the arguments specifically found to be persuasive by the examiner was:

*"There is no teaching in '034 (Campagnolo, U.S. Patent No. 5,935,034) that the fastening portion and is defined within a first plane and that the engagement portion is defined in a second plane and the planes are parallel to each other in separate axially spaced planes."*

However, upon further consideration of the prior art (Campagnolo, U.S. Patent No. 5,935,034), new grounds for rejection are made based on a new interpretation of the prior art by the examiner, as discussed below in *Claim Rejections - 35 USC § 102*.

With regard to claim 11, previously rejected under 35 USC § 103, the examiner's position has not changed, thus still being rejected as discussed below in *Claim Rejections - 35 USC § 103*.

### ***Acknowledgment of Amendment***

2. The amendment from applicant, filed on 2/17/2006, has been acknowledged by the examiner, which cancelled claim 2, therefore, withdrawing claim 2 from further consideration.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

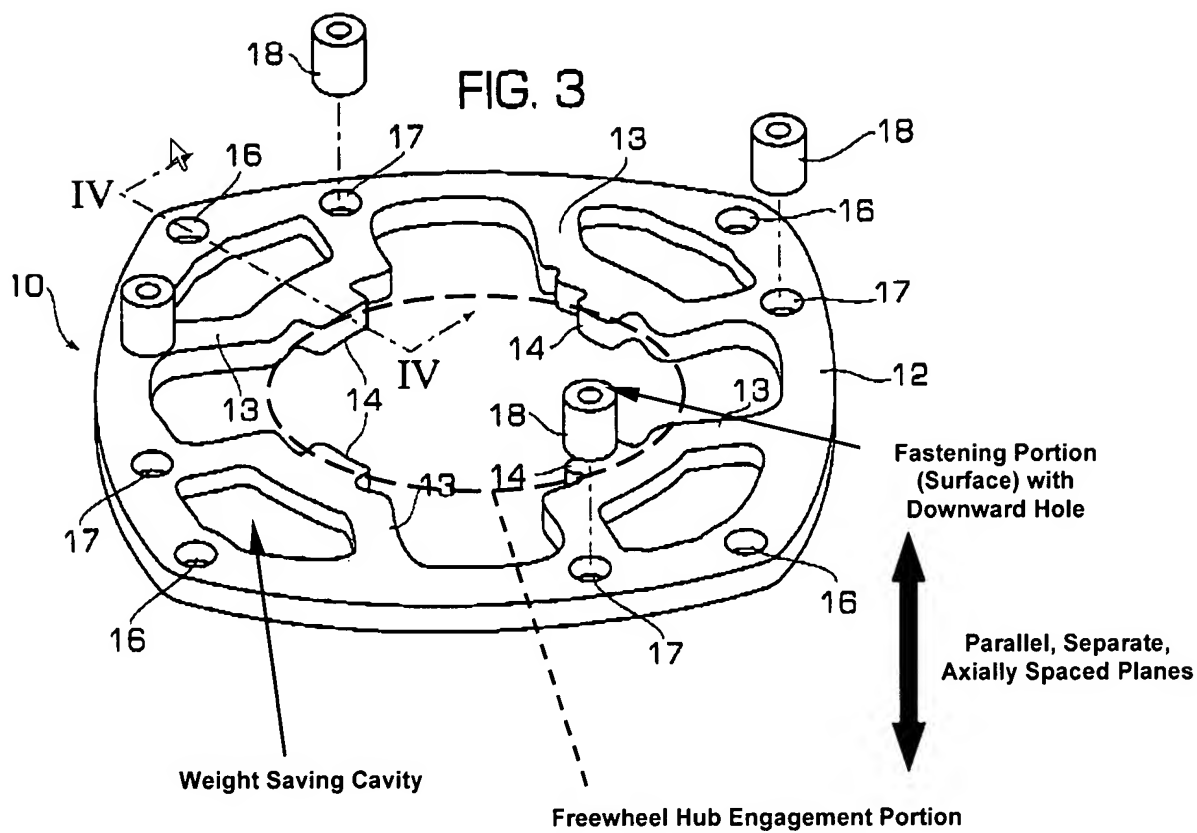
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-9, and 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Campagnolo, U.S. Patent No. 5,935,034.

Campagnolo discloses a sprocket support member (10) [see included Fig. 3 from Campagnolo], comprising: a fastening portion that appears to have an axial thickness substantially equal to a desired axial distance between multiple sprockets of the sprocket assembly [thickness of spacers 18] (Fig.1); at least one freewheel hub engagement portion having at least one tooth (14); and at least one fastening portion [see included Fig. 3] presenting at least one hole (17 projected axially through 18); wherein the fastening portion is defined within a first plane and the engagement portion is defined in a second plane and the planes are parallel to each other in separate, projected axially spaced planes, although the engagement portion and fastening portion are considered to be a single structural unit [via being connected through spacers 18]; the spacers (18), that provide an axial projection of the fastening portion from the engagement portion, form a support for a radially projecting element [such as a sprocket surface radially projecting outwardly and forming multiple teeth]. Additionally, Campagnolo discloses the sprocket support member (10) having weight saving cavities (as shown in Figs 3 and 4).

**Fig. 3 (From Campagnolo U.S. Patent No. 5,935,034)**



***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Campagnolo in view of Nakamura, U.S. Patent No. 6,102,821.

As set forth above, Campagnolo teaches substantially all that is claimed, but it is unclear what material the sprocket support is made of. Nakamura, however, discloses that aluminum (column 1, lines 36-41) is a typical material for a sprocket support. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to use aluminum for the sprocket support, as taught by Nakamura, since this is typical due the benefit of being light weight.

***Allowable Subject Matter***

5. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc A. Scharich whose telephone number is (571) 272-3244. The examiner can normally be reached on M-F 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.A.S. 4/27/2006



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